

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ARTURO HERNANDEZ-POZOS,
Petitioner,

v.

Civ. No. 2:25-cv-02148-MSN-cgc

WARDEN C. HARRISON,
Respondent.

ORDER DISMISSING CASE WITHOUT PREJUDICE

On February 10, 2025, Petitioner Arturo Hernandez-Pozos, Federal Bureau of Prisons Number 63075-510, who is incarcerated at FCI Memphis in Memphis, Tennessee, filed a *pro se* petition pursuant to 28 U.S.C. § 2241. (ECF No. 2.) Petitioner, however, didn't pay the \$5.00 habeas filing fee as required under 28 U.S.C. § 1914(a), nor did he submit a completed *in forma pauperis* affidavit and certified copy of his trust account statement. So on February 19, 2025, the Court ordered Petitioner to either pay the \$5.00 habeas filing fee or submit a properly completed *in forma pauperis* affidavit as required by 28 U.S.C. § 1914(a). (ECF No. 4.) The Court also ordered the Clerk to mail Petitioner an Application to Proceed Without Prepaying Fees Or Costs (AO 240), along with a copy of the Order. The Clerk mailed the application and Order the next day. Petitioner was given 30 days to comply with the Court's Order and was warned that failure to comply would result in dismissal of this action without further notice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

Petitioner has failed to timely comply with the February 19, 2025 Order, and the time for compliance has expired. Petitioner has not paid the filing fee or provided the required documents to proceed *in forma pauperis*. The Court warned Petitioner that failure to comply with the Order in a

timely manner would result in the dismissal of his action without further notice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (ECF No. 4 at PageID 7.)

This matter is therefore **DISMISSED** without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED, this 24th day of April, 2025.

s/ Mark S. Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE